



Brent O'Neill
2300 Richmond Road
Lexington, KY 40502

P 859.268.6316
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May 13, 2015

Linda Faulkner
Filings Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

Re: *Permits for Kentucky American Water's Richmond Road
Filter Building Project*

Dear Linda:

Thank you for the inquiry regarding Kentucky American Water's ("KAW") filing of permits and related documents identified in the Commission's August 25, 2014 Order in Case No. 2014-00258.

Enclosed please find the Commonwealth of Kentucky Division of Water's acknowledgement of approved coverage under the Kentucky Pollutant Elimination Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activities. This acknowledgement was issued as a result of KAW's Notice of Intent to disturb the land to the Division of Water. The acknowledgement was obtained on February 5, 2015 and was utilized to obtain the enclosed Land Disturbance Permit from the Lexington-Fayette Urban County Government ("LFUCG") that was issued to the contractor on February 26, 2015. We apologize for not providing these permits within the 10 days as indicated in the order and have corrected our permit tracking procedure with the contractor to ensure this delay in filling the permits will not occur in the future.

The other permits that are identified in the Commission's August 25, 2014 Order have not been received at this time. KAW's contractor has applied for the LFUCG building permit, but at the time of writing this letter the complete permit has not been issued. The complete permit will address electrical, plumbing, HVAC and building matters. We anticipate that the complete permit will be issued in August 2015. Upon receipt of the complete building permit, KAW will provide a copy to you in accordance with the Commission's Order.

As for the demolition/wrecking permit identified in the Commission's Order, KAW does not expect to receive it from the LFUCG until just prior to the demolition of the existing filter building during May 2016. Upon receipt of that permit, KAW will provide you with a copy.

Thank you again for your inquiry. KAW will ensure that we work with our contractor to ensure that we provide a copy of the remaining permits in accordance with the Commission's Order. If you should have any questions, please contact us at any time.

Sincerely

Kentucky-American Water Company

A handwritten signature in blue ink, appearing to read "Brent O'Neill", is positioned above the printed name.

Brent O'Neill
Director of Engineering

STEVEN L. BESHEAR
GOVERNOR



LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE, 4TH FLOOR
FRANKFORT, KENTUCKY 40601
www.kentucky.gov

February 5, 2015

Michael Bailey
KY American Water Co
PO Box 11640
Lexington, KY 40576

Re: KYR10 Coverage Acknowledgment
KPDES No.: KYR10J092
KAW Filter Building
Permit Type: Construction
AI ID: 1063
Fayette County, Kentucky

Dear Michael Bailey:

The discharges associated with the Notice of Intent you submitted have been approved for coverage under the "Kentucky Pollutant Discharge Elimination System (KPDES) General Permit for Storm Water Discharges Associated with Construction Activities (KYR100000)" master general permit. Your coverage becomes effective on the date of this letter, and will automatically terminate two years from the effective date of your coverage unless an extension is requested prior to the termination date, until the KYR100000 master general permit expires on November 30, 2019, or the Division of Water revokes coverage, whichever comes first. During this period of coverage all discharges shall comply with the conditions of the KYR100000 master general permit. This permit and links to the eNOI (and permit coverage extension) and eNOT forms can be found on our website:

<http://dep.ky.gov/formslibrary/Documents/KYR10PermitPage.pdf>.

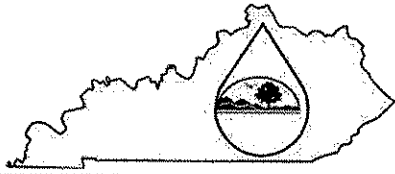
Any questions concerning the general permit and its requirements should be directed to me at (502) 564-3410.

Construction Site GPS Coordinates: 38.01 , -84.46
Receiving Water: Lexington Reservoir Number 1

Sincerely,

A handwritten signature in cursive script that reads "Justina Riddick".

Justina Riddick
Surface Water Permits Branch
Division of Water



Kentucky Pollutant Discharge Elimination (KPDES)

Notice of intent (NOI) for coverage of Storm Water Discharge Associated with Construction Activities Under the KPDES Storm Water General Permit KYR100000

Submission of this Notice of Intent constitutes notice that the party identified in the section I of this form intends to be authorized by a KPDES permit issued for storm water discharges associated with construction activity. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit.

I. Facility Operator Information

Operator Name(s) (*)	W. Rogers Company	Phone(*)	859-231-6290
Mailing Address(*)	P.O. Box 11640	Status of Owner/Operator	Private
City(*)	Lexington	State(*)	Kentucky
		Zip(*)	40576

II. Facility/Site Location Information

Name of Project (*)	KAW Filter Building	Physical Address (*)	100 Water Company Drive	City (*)	Lexington
State(*)	Kentucky	Zip(*)	40502	County (*)	Fayette
Latitude (Decimal Degrees) (*)	38.0128	Longitude (Decimal Degrees) (*)	-84.4645	SIC Code (*)	1629
	DMS to DD Converter				

III.

Site Activity Information

a. For single projects provide the following information:

Total Number of acres in project:	2
Total Number of acres to be disturbed:	2
Anticipated Start Date	02/15/2015
Anticipated Completion Date	07/01/2016

https://dep.gateway.ky.gov/eforms/site/documentDownload.aspx?5_Id=5e8a11bb-be88-48fc-86b2-9c0a4032d123

ID: 5e8a11bb-be88-48fc-86b2-9c0a4032d123

b. For common plans of development provide the following information:

Total number of acres in project					
Number of individual lots in development, if applicable					
Number of lots to be developed					
Total acreage of lots intended to be developed					
Total acreage intended to be disturbed					
Number of acres intended to be disturbed at any one time					
Anticipated start date					
Anticipated completion date					
List Contractor(s)	<table border="1"> <tr> <td></td> <td>Company Name(*)</td> </tr> <tr> <td>Add New</td> <td></td> </tr> </table>		Company Name(*)	Add New	
	Company Name(*)				
Add New					

IV. If the permitted site discharges to a water body the following information is required

a:		
Name of Receiving Water (*)	Lexington Reservoir Number	
Anticipated number of discharge points	1	
Location of Anticipated discharge points	Latitude(s)	Longitude(s)

	Delete	38.01	-84.46
	Add New		
Receiving Water Body Stream-Use Designation	<input type="checkbox"/> Cold Water Aquatic Habitat <input checked="" type="checkbox"/> Domestic Water Supply <input checked="" type="checkbox"/> Outstanding State Resource Water <input type="checkbox"/> Primary Contact Recreation <input type="checkbox"/> Secondary Contact Recreation <input type="checkbox"/> Warm Water Aquatic Habitat		
Antidegradation Categorization	Outstanding National Resource <input checked="" type="checkbox"/>		
b:			
Name of Receiving Water			
Anticipated number of discharge points			
Location of Anticipated discharge points	Latitude(s)	Longitude(s)	
	Add New		
Receiving Water Body Stream-Use Designation	<input type="checkbox"/> Cold Water Aquatic Habitat <input type="checkbox"/> Domestic Water Supply <input type="checkbox"/> Outstanding State Resource Water <input type="checkbox"/> Secondary Contact Recreation <input type="checkbox"/> Primary Contact Recreation <input type="checkbox"/> Warm Water Aquatic Habitat		
Antidegradation Categorization			

V. If the permitted site discharges to a MS4 the following information is required

Name of MS4		
Number of discharge points to the MS4		
Location of each discharge point	Latitude(s)	Longitude(s)
	Add New	
Date of application/notification to the MS4 for construction site permit coverage		

VI. Construction activities in or along a water body

Will the project require construction activities in a water body or the riparian zone?	No <input checked="" type="checkbox"/>
If Yes, describe scope of activity	
Is a Clean Water Act 404 permit required?	No <input checked="" type="checkbox"/>
Is a Clean Water Act 401 Water Quality Certification required?	No <input checked="" type="checkbox"/>

VII. NOI Preparer Information

First Name (*)	Michael	Middle Initial		Last Name (*)	Bailey
Mailing Address (*)	P.O. Box 11640	City (*)	Lexington	State (*)	Kentucky
Zip (*)	40576	Phone (*)	859-231-6290	eMail Address (*)	michaelb@wrogers.com

VIII. Attachment(s)

Topographic map(*)	<input type="button" value="Upload File(s)"/>
Supplemental Information	<input type="button" value="Upload File(s)"/>

IX. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. By submitting data, this transmission constitutes my signature and I am responsible for any and all content submitted either by me or by the people I represent.

Signature (*)	Michael Bailey	First Name (*)	Michael	
Middle Initial		Last Name (*)	Bailey	Date (*) 01/23/2015
Contact eMail Address (*)	michaelb@wrogers.com	Contact Phone (*)	859-231-6290	

[Save for Future Retrieval](#)[Submit Final Version to DEP](#)**WHO MUST FILE A NOTICE OF INTENT (NOI) FORM**

Federal law at 40 CFR Part 122 prohibits point source discharges of stormwater associated with industrial activity to a water body of the Commonwealth of Kentucky without a Kentucky Pollutant Discharge Elimination System (KPDES) permit. The operator of an industrial activity that has such a storm water discharge must submit a NOI to obtain coverage under the KPDES Storm Water General Permit. If you have questions about whether you need a permit under the KPDES Storm Water program, or if you need information as to whether a particular program is administered by the state agency, call the **Storm Water Contact, Operational Permits Section, Kentucky Division of Water** at (502) 564-3410.

WHERE TO FILE NOI FORM

<https://dep.gateway.ky.gov/eForms/default.aspx?FormID=7>

Electronic NOI-SWCAs are to be submitted a minimum of seven (7) working days prior to commencement of construction related activities.

COMPLETING THE FORM

Enter information in the appropriate areas only. (*) denotes a required field. Enter N/A (Not Applicable) for fields that are required but do not apply to your submission. If you have any questions regarding the completion of this form call the **Storm Water Contact, Operational Permits Section**, at (502) 564-3410.

SECTION I - FACILITY OPERATOR INFORMATION

Operator Name(s): Enter the name or names of all operators applying for coverage under KYR10 using this NOI.

Mailing Address, City, State, and Zip Code: Provide the mailing address of the primary operator

Phone No.: Provide the telephone numbers of the person who is responsible for the operation.

Status of Owner/Operator: Select the appropriate legal status of the operator of the facility from the dropdown list.

Federal

Public (other than federal or state)

State

Private

SECTION II - FACILITY/SITE LOCATION INFORMATION

Name of Project: Provide the name of the project.

Physical Address, City, State, Zip Code and County: Provide the physical address of the project.

Latitude/Longitude: Provide the general site latitude and longitude of the operation.

SIC Code: Enter the Standard Industrial Code for the project

SECTION III - SITE ACTIVITY INFORMATION

For single projects provide the following information:

Total number of acres in project: Indicate the total acreage of the project including both disturbed and undisturbed areas.

Total number of acres to be disturbed: Indicate the total number of acres of the project to be disturbed.

Anticipated start date: Indicate the approximate date of when construction activities will begin.

Anticipated completion date: Indicated the approximate date of when final stabilization will be achieved.

For common plans of development provide the following information:

Total number of acres in project: Indicate the total acreage of the project including both disturbed and undisturbed areas.

Number of individual lots in development, if applicable: Indicate the number of individual lots or unit in the common plan of development

Number of lots to be developed: Indicate the number of lots that you intend to develop.

Total acreage of lots intended to develop: Indicate the total acreage of the lots you intend to develop.

Total acreage intended to disturb: Indicate the total acreage of the lots you intend to disturb

Number of acres intended to disturb at any one time: Indicate the maximum number of acres to be disturbed at any one time.

Anticipated start date: Indicate the approximate date of when construction activities will begin.

Anticipated completion date: Indicated the approximate date of when final stabilization will be achieved.

List of contractors: Provide the names of all known contractors that will be working on site.

SECTION IV - IF THE PERMITTED SITE DISCHARGES TO A WATER BODY THE FOLLOWING INFORMATION IS REQUIRED

Name of Receiving Water: Provide the names of the each water body receiving discharges from the site. Provide only official USGS names do not provide local names.

Anticipated number of discharge points: Indicate the number of discharge points to each receiving water body.

Location of anticipated discharge points: Provide the latitude and longitude of each discharge point. Add points as necessary.

Receiving Water Body Stream Use Designation: Check all appropriate boxes.

Antidegradation Categorization: Select from the drop down box one of the following:

Outstanding National Resource Water

Exceptional Water

High Quality Water

Impaired Water

SECTION V - IF THE PERMITTED SITE DISCHARGES TO A MS4 THE FOLLOWING INFORMATION IS REQUIRED

Name of MS4: Provide the name of the MS4 to which the activity will discharge.

Number of discharge points to the MS4: Indicate the number of discharge points.

Location of each discharge point: Provide the latitude and longitude of each discharge point. Add points as necessary

Date of application/notification to the MS4 for construction site permit coverage: Indicate the date the MS4 has or will be notified.

SECTION VI – CONSTRUCTION ACTIVITIES IN OR ALONG A WATER BODY

Will the project require construction activities in a water body or the riparian zone: Select Yes or No from the drop down box. **If Yes, describe scope of activity:** Provide a brief description of the activity(ies) that will take place in the water body or the riparian zone.

Is a Clean Water Act 404 permit required: Select Yes or No from the drop down box.

Is a Clean Water Act 401 Water Quality Certification required: Select Yes or No from the drop down box.

SECTION VII – NOI PREPARER INFORMATION

Provide the name, mailing address, telephone number and eMail address of the person preparing the NOI.

SECTION VIII –Attachments

Attach a USGS topographic map indicating the location of the activity and the proposed discharge points.

SECTION IX – CERTIFICATION

Provide the name, mailing address, telephone number and eMail address of the person who is responsible for the activity.

Signature: Provide full name of the responsibility party. This will constitute a signature.

The NOI must be signed as follows:

Corporation: by a principal executive officer of at least the level of vice president.

Partnership or sole proprietorship: by a general partner or the proprietor respectively.

9



**LFUCG Department of Planning, Preservation and Development
Division of Engineering
Land Disturbance Permit(LDP) - Commercial Lot (=> 1 acre)**

Project Name: KAWC FILTER BUILDING/Address: 2300 RICHMOND RD		
Date Issued: 2/26/2015	LDP Permit No: 240	Expiration Date: 2/26/2016
Contractor: W ROGERS COMPANY	Reg. #: 11113	Owner: KY AMERICAN WATER CO
Mailing Address: 649 BIZZELL DR LEXINGTON KY 40510	Mailing Address: 2300 RICHMOND RD LEXINGTON KY 40502	
Contact Name: MICHAEL BAILEY Email Address: MICHAELB@WROGERS.COM Phone/Fax Number: (859) 231-6290	Contact Name: ZACK DUKES Email Address: ZACHERY.DUKES@AMWATER.COM Phone/Fax Number: (859) 268-6290	
Project Name: KAWC FILTER BUILDING	Address: 2300 RICHMOND RD	Zoning: A-U
Watershed project is located in: West Hickman (WH)		
Land Surface Disturbance area in acres: 2.21	Proposed Building Square footage: 11,600.00	
<p>Permit Conditions:</p> <ol style="list-style-type: none"> 1. The permittee shall comply with Section 16-104 of Article X of Chapter 16 of LFUCG's Code of Ordinances and this permit. 2. Issuance of this permit shall not relieve the permittee from obtaining permit authorizations to discharge stormwater from the Kentucky Division of Water under KPDES GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES (KYR10) or an individual KPDES permit prior to commencing activities, where applicable. The permittee shall provide the LFUCG Division of Engineering (DOE) with a copy of a written authorization to discharge under KYR10 or individual KPDES permit that is issued by the Kentucky Division of Water as soon as practical after issuance of the state authorization. 3. The permittee shall also comply with all terms and conditions of KYR10, except as modified by Section 16-104 of Article X of Chapter 16 of LFUCG's Code of Ordinances. All requirements of KYR10 are incorporated by reference into this Land Disturbance Permit, except as otherwise provided in Section 16-104 of Article X of Chapter 16 of LFUCG's Code of Ordinances. 4. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by the Urban County Government or other state or federal agencies. 5. The permittee shall implement the Stormwater Pollution Prevention Plan (SWPPP) submitted to and accepted by DOE. The permittee shall modify the SWPPP as necessary during construction to minimize impacts to stormwater runoff. 6. The permittee shall conduct regular inspections as required by KYR10. 7. The permittee shall conduct soil stabilization within 14 days after land disturbing activities have permanently or temporarily ceased as required by KYR10. 8. The permittee shall protect curb and surface inlets from sediment. 9. The permittee shall maintain construction entrances to prevent tracking of mud onto public streets. 10. The permittee shall submit a Notice of Termination to DOE when final stabilization has been achieved as defined in KYR10. 11. A copy of this permit shall be posted at the job site. 12. Noncompliance with this permit shall subject the permittee to enforcement actions pursuant to Article XII of Chapter 16 of LFUCG's Code of Ordinances. <p>Special Conditions: KYR10J092 Issued 2/5/15 to Michael Bailey, KY American Water Co, P.O. Box 11640, Lexington, KY 40576</p>		
Issued By: <i>Charles M. Safford</i>		LFUCG Division of Engineering